

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

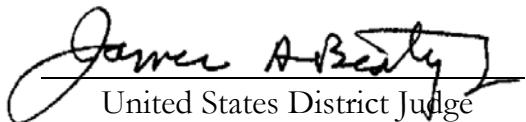
GLEN ALAN SPICER,)
Petitioner,)
v.) 1:08CV747
United States of America,) 1:06CR299-1
Respondent.)

ORDER

On January 6, 2015, the United States Magistrate Judge's Recommendation was filed and notice was served on Petitioner pursuant to 28 U.S.C. § 636. Petitioner filed objections [Doc. #249] to the Recommendation within the time limit prescribed by Section 636. The Court has reviewed Petitioner's objections *de novo* and finds they do not change the substance of the United States Magistrate Judge's Recommendation [Doc. #247], which is affirmed and adopted.

IT IS THEREFORE ORDERED that Petitioner's Rule 60(b) motion [Doc. #245] is DENIED, that this action is DISMISSED WITHOUT PREJUDICE to Petitioner filing a new Motion under 28 U.S.C. § 2255 if he obtains authorization from the Court of Appeals for the Fourth Circuit to file a second or successive motion, and that, finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is DENIED.

This, the 19th day of February, 2015.


United States District Judge